

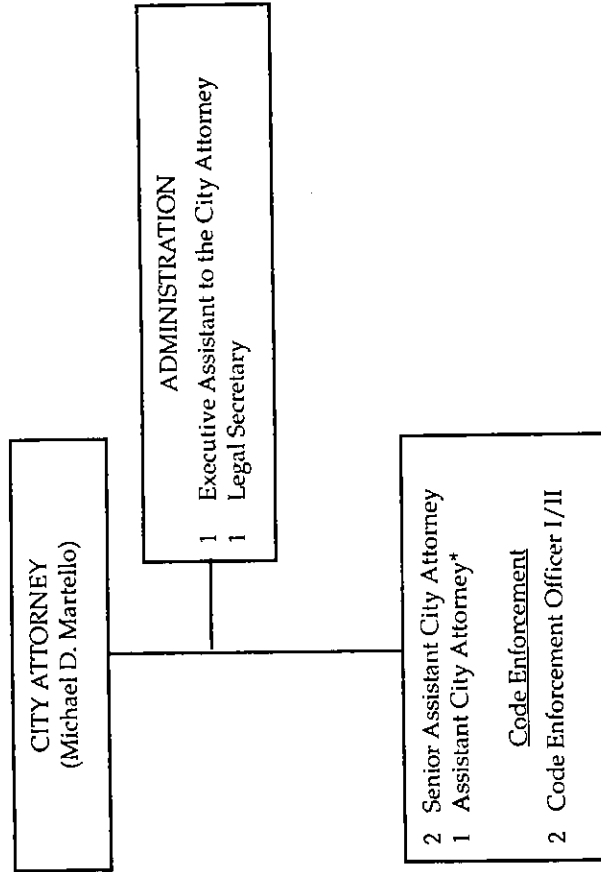
# CITY ATTORNEY'S OFFICE

The Code Enforcement Section is under the direct supervision of the Senior Assistant City Attorney. The Code Enforcement Section is responsible for enforcing the City Code provisions relating to zoning, neighborhood preservation and vehicles on private property.

The City Attorney is appointed by the City Council as the Attorney for the City and legal advisor to the City Council. The City Attorney hires subordinate attorneys to assist in the discharge of assigned responsibilities. The City Attorney's Office defends and prosecutes or retains counsel to defend and prosecute all civil actions and proceedings to which the City is a party and prosecutes all criminal actions involving the City Code. The Office represents and advises the City Council, boards, commissions, departments and all City officials in matters of law related to the conduct of City business.

The City Attorney's Office drafts necessary legal documents, ordinances, resolutions, contracts, other documents pertaining to the City's business and handles claims against the City. The Office is also responsible for providing legal services in connection with the Shoreline Regional Park (North Bayshore) Community, Downtown Parking District and Downtown Revitalization Authority.

# CITY ATTORNEY'S OFFICE



FISCAL YEAR 2003-04 POSITION TOTALS: 8.0 Full-Time

\*Unfunded .33 Assistant City Attorney position for Fiscal Year 2003-04

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**CITY ATTORNEY'S OFFICE  
DEPARTMENT SUMMARY**

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DEPARTMENT MANAGER-CITY ATTORNEY

DEPARTMENT MISSION STATEMENT

To provide legal services and counsel to the City Council, boards and commissions; and participate as a member of the management team in support of City departments.

DEPARTMENT FUNCTIONS

- Prosecute and defend legal proceedings involving the City. (M 1, 2, 3)
- Coordinate and monitor outside legal service providers retained to represent the City in its ongoing operations. (M 1, 2)
- Represent and advise City officials and City staff in legal matters.
- Draft and/or review ordinances, resolutions, contracts and other legal documents. (M 4, 5, 6)
- Supervise and administer the Code Enforcement Division, including prosecution of City Code violations. (M 7)
- Process and trade claims filed against the City.

MAJOR DEPARTMENTAL GOALS/STRATEGIES FOR FISCAL YEAR 2003-04

- Implement Administrative Remedies Ordinance.
- Revise code provisions relating to Animal Control.
- Assist Community Development Department in continuing to update zoning provisions of the Mountain View City Code.
- Continue periodic revisions of the Mountain View City Code relating to code enforcement and zoning and development of enforcement strategies.
- Prepare ground lease and additional transactional documents for manned senior day-care facility—Avenidas.
- Prepare agreements for Graham Reservoir project.
- Implement code enforcement database.
- Implement National Pollutant Discharge Elimination System (NPDES) permit requirements.

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MAJOR DEPARTMENT CHANGES

- General Operating Fund:

Code Enforcement (\$70,700)

Eliminates 1.0 Code Enforcement Secretary. The Code Enforcement Division was staffed by two Inspectors and one Secretary. The elimination of the Secretary position results in some decrease in service level responsiveness as the two Inspectors will need to absorb the work of the Secretary and/or restructure how the work is undertaken. However, this can be accomplished as a new code enforcement system comes on-line that will allow for greater administrative efficiencies. *Reduces some of the ability of staff to respond to code enforcement inquiries.*

Legal Contingency (\$30,000)

Creates a Legal Contingency Fund from the balance available in the City's Liability Fund and reduces legal services in the operating budget. The City Attorney's budget contained \$40,000 for legal services as needed to react to claims filed against the City during the course of the year. An additional \$15,000 was budgeted in other departments. As it cannot be known when or how many claims will be filed against the City, funds may or may not be used in any given year. This creates a centralized legal contingency budget ("one-time" funds), allowing a reduction in the operating expenditure budget of \$45,000 in a number of departments. *Eliminates funds in operating budget, improves control of legal costs and provides a limited contingency fund for use when needed. No service level impact.*

Miscellaneous Reductions (\$11,300)

Reduces legal assistance, books and professional memberships as well as training and travel budget. *Reduces flexibility but should not result in any significant service level impact.*

- Liability Self-Insurance Fund:

Legal Contingency \$30,000

Creates a Legal Contingency Fund from the balance available in the City's Liability Fund and reduces legal services in the operating budget. See above explanation.

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**CITY ATTORNEY'S OFFICE  
DEPARTMENT SUMMARY**

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PERFORMANCE/WORKLOAD MEASURES

	2001-02 Target	2001-02 Actual	2002-03 Target	2002-03 Actual	2003-04 Target
<b>City Attorney's Office:</b>					
1. Total cost of legal services, in-house and outside counsel, as a percent of General Fund budget	<2%	0.38%	<2%	1.57%	<2%
2. Total cost of project-related legal services or specialty services (i.e., Revitalization) as a percent of individual budget	<0.5%	0%	<0.5%	0.49%	<0.5%
3. Percent of claims entered into the claim reporting system, reported to ACCEL and directed to appropriate departments for response within 5 working days of receipt of the claim. <sup>(A)</sup>	>90%	92%	>90%	94%	>90%
4. Percent of routine contracts reviewed within 10 working days	>85%	97%	>85%	97%	>85%
5. Percent of complex contracts reviewed within 20 working days	>80%	96%	>80%	98%	>80%
6. Percent of CC&Rs reviewed within 30 working days	>85%	85%	>85%	85%	>80%
7. Percent of code enforcement cases responded to within 5 working days of receipt of complaint or observation of violation.		New for FY 2002-03	>95%	100%	>95%

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<sup>(A)</sup> For Fiscal Year 2002-03, reporting time changed from 72 hours to 5 working days.

CSE/BUD  
LHP-013-01^

**CITY ATTORNEY'S OFFICE  
DEPARTMENT SUMMARY**

<u>POSITIONS</u>	<u>2001-02 ADJUSTED</u>	<u>2002-03 ADOPTED</u>	<u>2003-04 ADOPTED</u>
City Attorney	1	1	1
Sr Assist City Attorney	2	2	2
Assistant City Attorney	1	1	1
Code Enforcement Officer I/II	2	2	2
Exec Asst to the City Attorney	1	1	1
Legal Secretary	1	1	1
Secretary	1	1	0
Total Permanent	9	9	8
Total Part-Time Hourly	0	0	0
<b>TOTAL POSITIONS</b>	<b>9</b>	<b>9</b>	<b>8</b>

\*1 Unfunded .33 Assistant City Attorney position.

\*2 Eliminated Secretary position.

<u>EXPENDITURE SUMMARY</u>	<u>2001-02 ACTUAL</u>	<u>2002-03 ADOPTED</u>	<u>2003-04 ADOPTED</u>
Salaries Wages and Benefits	\$ 977,103	1,067,267	1,022,792
Supplies and Other Services	70,247	107,950	96,690
Capital Outlay	3,375	0	0
Interfund Expenditures	1,468	4,200	4,400
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,052,193</b>	<b>1,179,417</b>	<b>1,123,882</b>

<u>FUNDING SOURCES</u>	<u>2001-02 ACTUAL</u>	<u>2002-03 ADOPTED</u>	<u>2003-04 ADOPTED</u>
General Operating Fund	\$ 1,052,193	1,169,417	1,083,882
Shoreline Regional Park Community	0	10,000	10,000
Liability Self-Insurance	0	0	30,000
<b>TOTAL FUNDING</b>	<b>\$ 1,052,193</b>	<b>1,179,417</b>	<b>1,123,882</b>

<u>REVENUE SUMMARY</u>	<u>2001-02 ACTUAL</u>	<u>2002-03 ADOPTED</u>	<u>2003-04 ADOPTED</u>
Fines and Forfeitures	\$ 0	0	15,000
General Service Charge	0	15,000	0
Miscellaneous Revenue	0	5,000	5,000
<b>TOTAL REVENUES</b>	<b>\$ 0</b>	<b>20,000</b>	<b>20,000</b>

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DEPARTMENT SUMMARY**

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**DETAILED EXPENDITURES**

<u>PERSONNEL</u>	<u>2001-02 ACTUAL</u>	<u>2002-03 ADOPTED</u>	<u>2003-04 ADOPTED</u>
Salaries	\$ 812,634	909,451	865,351
Wages	26,898	0	0
Benefits	137,571	157,816	157,441
	<u>\$ 977,103</u>	<u>1,067,267</u>	<u>1,022,792</u>
<u>SUPPLIES AND SERVICES</u>	<u>2001-02 ACTUAL</u>	<u>2002-03 ADOPTED</u>	<u>2003-04 ADOPTED</u>
Materials and Supplies	\$ 39,658	31,000 *1	28,500 *4
Maintenance and Operations	422	200	200
Utilities	4,231	5,850	5,850
Professional/Technical Svcs	13,379	55,400 *2	50,400 *4
Other Expenses	12,557	15,500 *3	11,740 *4
	<u>\$ 70,247</u>	<u>107,950</u>	<u>96,690</u>

\*1 Includes decreased funding of \$5,000 for attorney's books.

\*2 Includes decreased funding of \$12,000 for Code Enforcement professional services.

\*3 Includes decreased funding of \$13,000 for miscellaneous items such as travel and Code Enforcement emergency abatement funds.

\*4 Includes decreased funding \$11,300 for contract assistance and training, conference and travel.

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## NOTES

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